

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 LELAND A. JORDAN,)
11 Plaintiff,) CASE NO. C04-1554JCC
12 v.)
13 MAJOR NELSON, *et al.*,) ORDER DISMISSING ACTION
14 Defendants.) UNDER FED. R. CIV. P. 41(b)

The Court, having reviewed defendants' motion for summary judgment and dismissal, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
 - (2) This action is DISMISSED, without prejudice, for failure to prosecute under Fed R. Civ. P. 41(b).
 - (3) Defendants' motion for summary judgment and dismissal (Dkt. No. 23) is STRICKEN.

**ORDER DISMISSING ACTION
UNDER FED. R. CIV. P. 41(b) - 1**

(4) The Clerk is directed to send copies of this Order to plaintiff at his last known address, to counsel for defendants, and to the Honorable James P. Donohue.

DATED this 13th day of July, 2005.


John C. Coughenour
UNITED STATES DISTRICT JUDGE

**ORDER DISMISSING ACTION
UNDER FED. R. CIV. P. 41(b) - 1**